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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,288	07/12/2001	Klaus Rodemer	DVB-110J	2056

7590 11/03/2005

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,288

Applicant(s)

RODEMER ET AL.

Examiner

Thjuan P. Knowlin

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on July 25, 2005 has been entered. No claims have been amended. Claims 1-30 have been cancelled. No claims have been added. Claims 31-38 are still pending in this application, with claim 31 being independent.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 31-35 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eriksson et al (US 5,602,928).
3. In regards to claims 31, 32, and 34, Eriksson discloses a hand free-set mounting on the safety belt of an automotive vehicle (See Fig. 4) comprising: a microphone (See Fig. 4 and microphone 208) provided at the side of the microphone facing the belt with contacts for contacting counter-contacts which are provided on the belt and connected to conducting filaments (See Fig. 4 and connection wire 212) which are woven (e.g. enmeshed) into the belt and are designed as connecting conductors in the form of metal filaments or strands which lead from said counter-contacts to an electronic circuit (See col. 6 lines 6-21). Eriksson, however, does not specifically disclose fastening plates

arranged at both sides of the belt and connected to one another through an opening in the belt in a non-rotational manner with respect to the belt, said counter-contacts being mounted on the fastening plate at the microphone side and connected through said fastening plate to said conducting filaments. Eriksson does disclose a seatbelt interlock/seatbelt anchor 213 that is arranged on the belt (See Fig. 4, shoulder harness 206, and mesh belt 210), to provide feedback information confirming deployment of the belt, said counter-contacts being mounted on the seatbelt interlock/seatbelt anchor at the microphone side and connected through the seatbelt interlock/seatbelt anchor to said conducting filaments (See Fig. 4, Fig. 5, and col. 6 lines 6-21). Therefore, the seatbelt interlock/seatbelt anchor 213 is performing similar functions as that of the claimed fastening plate.

4. In regards to claim 33, Eriksson discloses the hand free-set, wherein said counter-contacts are formed by contact plates which have connected thereto by way of crimp lugs said conducting filaments which are guided out of the belt through said fastening plate (See Fig. 4 and col. 6 lines 6-21).

5. In regards to claim 35, Eriksson discloses the hand free-set, wherein said microphone contacts are contact springs (See col. 6 lines 6-21).

6. In regards to claims 37 and 38, Eriksson discloses the hand free-set, wherein said selection circuit comprises a microphone change-over switch, the position of which is defined by the belt extension length (See Fig. 4 and col. 6 lines 6-21).

7. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eriksson et al (US 5,602,928), in view of Shreve et al (US 6,760,454).

8. Eriksson discloses all of claim 36 limitations, except the hand free-set, wherein a plurality of microphones are arranged along the belt and connected to a selection circuit, which selects that microphone for transmission that supplies the signals best suited for speech communication according to predetermined criteria. Shreve, however, does disclose the hand free-set, wherein a plurality of microphones are arranged along the belt and connected to a selection circuit, which selects that microphone for transmission that supplies the signals best suited for speech communication according to predetermined criteria (See col. 3 lines 30-41). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ multiple microphones along the seatbelt, as a way of increasing the microphone unit's reception sensitivity, therefore, providing better signals and enhanced speech communication.

Response to Arguments

9. Applicant's arguments with respect to claims 31-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

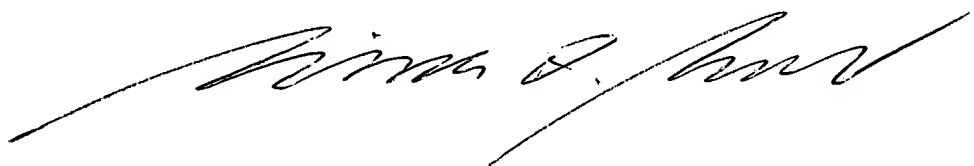
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

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11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin

A handwritten signature in black ink, appearing to read 'Bing Q. Bui', with a long horizontal stroke extending to the left.

BING Q. BUI
PRIMARY EXAMINER